

# EXHIBIT A

# Warner Chilcott Executives Knew About Fraud

Communications among Hodgen, Boissonneault, Reichel “in connection with procuring patent protection”:

37	2/22/1994	G. Hodgen	R. Boissonneault A. Bruno F. Tinney E. Brickell D. Thiel W. Gibbons	Communication revealing a communication from an EVMS employee G. Hodgen to EVMS outside counsel E. Meilman, Esq. for the purpose of requesting and obtaining legal advice and revealing confidential legal advice from EVMS outside counsel E. Meilman, Esq. to Warner Chilcott employee in connection with procuring patent protection for EVMS's intellectual property concerning oral contraceptive regimens and regarding assigning or licensing that technology. Also, a communication reflecting a communication from an EVMS employee to Parke-Davis/Warner Lambert in house counsel A. Bruno, Esq. and F. Tinney, Esq. for the purpose of obtaining legal advice concerning oral contraceptive regimens and regarding assigning or licensing that technology. This document is also protected by the common interest doctrine, since EVMS and Parke-Davis/Warner Lambert shared a common legal interest in obtaining patent protection for G. Hodgen's intellectual property regarding oral contraceptive regimens.
42	5/8/1995	S. Sawyer	C. Reichel G. Hodgen D. Thiel	Communication revealing a confidential communication from EVMS employee G. Hodgen to EVMS and Parke-Davis/Warner Lambert outside counsel E. Meilman, Esq. for the purpose of obtaining legal advice from outside counsel E. Meilman, Esq. and revealing confidential legal advice from outside counsel to EVMS and Parke-Davis/Warner Lambert regarding procuring patent protection for EVMS's intellectual property concerning oral contraceptive regimens. This document is also protected by the common interest doctrine, since EVMS and Parke-Davis/Warner Lambert shared a common legal interest in obtaining patent protection for G. Hodgen's intellectual property concerning oral contraceptive regimens.
44	5/18/1995	S. Sawyer	E. Meilman G. Hodgen C. Reichel F. Tinney	Confidential communication from EVMS employee S. Sawyer (on behalf of G. Hodgen) to EVMS outside counsel E. Meilman, Esq. providing information for the purpose of obtaining legal advice regarding procuring patent protection for EVMS's intellectual property concerning oral contraceptive regimens.

Source: PX216, Revised EVMS Privilege Log, *Warner Chilcott Co. v. Watson Pharm., Inc.*, No. 06-cv-3491 (D.N.J. May 30, 2007), WCL2446673–78.

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# Warner Chilcott Executives Knew About Fraud

Communications among Hodgen, Boissonneault, Reichel “in connection with procuring patent protection”:

36	7/17/1995	G. Hodgen	E. Meilman C. Reichel F. Tinney S. Sawyer	Confidential communication from EVMS employee G. Hodgen to EVMS outside counsel E. Meilman, Esq. providing information for the purpose of obtaining legal advice regarding procuring patent protection for EVMS's intellectual property concerning oral contraceptive regimens.
32	7/18/1995	G. Hodgen	S. Sawyer	Handwritten notes reflecting a confidential communication between EVMS employee G. Hodgen, C. Reichel, and Parke-Davis/Warner Lambert in-house counsel F. Tinney, Esq. and EVMS outside counsel E. Meilman, Esq. providing information for the purpose of obtaining legal advice regarding procuring patent protection for EVMS's intellectual property concerning oral contraceptive regimens. This document is also protected by the common interest doctrine since EVMS and Parke-Davis/Warner Lambert shared a common legal interest in obtaining patent protection for G. Hodgen's intellectual property concerning oral contraceptive regimens.

Source: PX216, Revised EVMS Privilege Log, *Warner Chilcott Co. v. Watson Pharm., Inc.*, No. 06-cv-3491 (D.N.J. May 30, 2007), WCL2446673–78.

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# Warner Chilcott Executives Knew About Fraud

Later, Warner Chilcott's outside counsel reviewed the patent:

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

WARNER CHILCOTT COMPANY, INC., ) Civil Action No. 06-3491-HAA (ES)  
Plaintiff, )  
v. ) **FILED UNDER SEAL**  
WATSON PHARMACEUTICALS, INC. ) Date: July 9, 2007  
and ) Time: 9:00 a.m.  
WATSON LABORATORIES, INC., ) Place: Martin Luther King Courthouse  
Defendants. ) 50 Walnut St, Rm 2060  
Newark, NJ 07101  
Judge: Hon. Esther Salas, U.S.M.J.

**DECLARATION OF IZUMI HARA, ESQ. IN SUPPORT OF PLAINTIFF  
WARNER CHILCOTT'S MOTION TO DISQUALIFY KENYON &  
KENYON LLP FROM REPRESENTING DEFENDANTS**

1. I, Izumi Hara, Esq., am currently the Senior Vice President, General Counsel, and Corporate Secretary at both Warner Chilcott Company, Inc., Plaintiff in the present action, and its parent company Warner Chilcott Ltd. (the "Parent Company"). In those capacities, I direct the legal department that serves both companies.

2. Plaintiff was formed in 2004, as a wholly owned subsidiary of Galen Holdings PLC ("Galen"). At that time, I was the Senior Vice President, Deputy General Counsel at Galen. Shortly thereafter, Galen changed its name to Warner Chilcott PLC and later to its current name, Chilcott UK Ltd.. For the convenience of the Court, I will refer to all three entities as "Galen."

7. In representing Galen, Kenyon was assigned the following tasks:

- a. evaluating several patents that Galen ultimately purchased from Pfizer, one of which was U. S. No. 5,552,394 ("the '394 patent");

saved by Kenyon. However, in reviewing my own e-mails and invoices from Kenyon, I confirmed that as part of its representation Kenyon was to and did review the '394 patent.

Source: PX206, Decl. of Izumi Hara in Supp. of Warner Chilcott's Mot. to Disqualify Kenyon & Kenyon LLP from Representing Defs., *Warner Chilcott Co. v. Watson Pharm., Inc.*, No. 06-cv-3491 (D.N.J. May 30, 2007), WCL216637, at -638-39.

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# Warner Chilcott Executives Knew About Fraud

Boissonneault and Bruno communicated with counsel between receiving paragraph IV notice and suing Watson:

00031	00031	WCL2698662	WCL2698662	Internet HTML	Stephen Murray	Izumi Hara; Todd Abbrecht; John Connaughton; Roger Boissonneault; John King; Benjamin Edmands; GTaylor@THLee.com; Steve Pagliuca; Steven Rattner; David Burgstahler	Paul Herendeen; Tony Bruno; Alvin Howard; Richard Truesdell	6/23/2006	Attorney-Client Privilege; Work Product Protection	E-mail providing legal advice prepared in anticipation or in the course of Loestrin 24 Fe patent litigation with Watson re: litigation relating to Loestrin 24 Fe, involving Izumi Hara*, Tony Bruno*, and Davis Polk & Wardwell LLP.
00044	00044	WCL2698663	WCL2698663	Internet HTML	Izumi Hara	Todd Abbrecht; Stephen Murray; John Connaughton; Roger Boissonneault; John King; Benjamin Edmands; GTaylor@THLee.com; Steve Pagliuca; Steven Rattner; David Burgstahler	Paul Herendeen; Tony Bruno; Alvin Howard; Richard Truesdell	6/23/2006	Attorney-Client Privilege; Work Product Protection	E-mail providing legal advice prepared in anticipation or in the course of Loestrin 24 Fe patent litigation with Watson re: litigation relating to Loestrin 24 Fe, involving Izumi Hara*, Tony Bruno*, and Davis Polk & Wardwell LLP.
00052	00052	WCL2698665	WCL2698666	Internet HTML	John Connaughton	Stephen Murray; Izumi Hara; Todd Abbrecht; Roger Boissonneault; John King; Benjamin Edmands; GTaylor@THLee.com; Steve Pagliuca; Steven Rattner; David Burgstahler	Paul Herendeen; Tony Bruno; Alvin Howard; Richard Truesdell	6/23/2006	Attorney-Client Privilege; Work Product Protection	E-mail providing legal advice prepared in anticipation or in the course of Loestrin 24 Fe patent litigation with Watson re: litigation relating to Loestrin 24 Fe, involving Izumi Hara*, Tony Bruno*, and Davis Polk & Wardwell LLP.
00511	00511	WCL2699009	WCL2699011	Internet HTML	Tony Bruno	Izumi Hara		6/24/2006	Attorney-Client Privilege	E-mail providing legal advice re: patent matters relating to Loestrin 24 Fe, involving Izumi Hara* and Davis Polk & Wardwell LLP.

Source: PX259, Excerpt of Defendants' Privilege Log.